

## **Minutes**

### **CHARLOTTE COUNTY CONSTRUCTION INDUSTRY LICENSING BOARD Administration Center, County Commission Meeting Room #119 18500 Murdock Circle, Port Charlotte, Florida 33948-1094**

**March 5, 2020 at 6 pm**

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs, and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1381, TDD/TTY 941.743.1234, or by email to [David.Lyles@charlottecountyfl.gov](mailto:David.Lyles@charlottecountyfl.gov).

**A. CALL TO ORDER**

Vice Chairman John Damon calls meeting to order at 6:00PM

**B. PLEDGE OF ALLEGIANCE**

**C. ROLL CALL**

**MEMBERS PRESENT:**

John Damon  
Michael Melton  
Edward Toth  
Robert Overcash  
Christopher Knight  
Michael Ferrara  
Louis Greene  
Stephen Gardiner

**NOT PRESENT:**

Charles Hackbarth

**Staff Present:**

Erin-Mullen-Travis, Licensing Manager  
Wendy Pacheco, Certified Code Compliance Officer, Licensing Investigator  
Ken Garcia, Certified Code Compliance Officer, Licensing Investigator  
Jean Stasio, Assistant County Attorney  
Ben Bailey- Building Official  
Kristin Binns, Administrative Assistant  
Robert H Berntsson, Board Attorney

**D. OPENING STATEMENT**

**E. NEXT MEETING DATE**

April 2, 2020 at 6:00 pm

**F. APPROVAL OF MINUTES**

Stephen Gardiner made motion to approve the minutes from February 6, 2020 meeting, Christopher Knight seconded the motion, all in favor.

**G. SWEARING IN OF ALL THOSE GIVING TESTIMONY**

Kristin Binns administered oath to those who gave testimony

**H. AGENDA CHANGES**

Jean Stacio announced agenda changes

**I. EXAMINATION**

NONE

**J. LICENSE REVIEW**

**1. 1. MARCIO GEQUELIN**

**Wendy Pacheco**

**Requesting to qualify a second entity under local Tile and Marble License No. AAA-19-00061.**

**Motion:** Robert Overcash made motion to approve qualifying a 2<sup>nd</sup> entity for Mr Gequelin, motion was seconded by Christopher Knight. Motion was passed unanimously

**L. CONSENT – AFFIDAVITS OF NONCOMPLIANCE FINES**

All matters listed under this item are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If discussion is desired by a member of the Board, that item(s) will be removed from the Consent Agenda and considered separately. **Each case has been assessed with an additional \$10.00 for the cost of recording the lien.**

- 1. Zachary A Simpson, CIT No 5625, CIL-20-00328, \$1000.00**
- 2. John T Casa, CIT No. 5728, CIL-20-00327, \$2000.00**
- 3. Jorge V Ortiz-Villeda, CIT No 5666, CIL-20-00332, \$1000**
- 4. Abel A Cardova, CIT No 5667, CIL-20-00333, \$1000**

**Ken Garcia**  
**Wendy Pacheco**  
**Ken Garcia**  
**Ken Garcia**

**MOTION:** Michael Melton motioned to accept the fines as stated in the Affidavit of Non-Compliance. Christopher Knight seconded, and motion was passed unanimously.

**M. CONTESTING CITATIONS**

**NONE**

**N. REINSTATEMENT**

**1. VICTOR CAVALERI**

**Erin Mullen-Travis**

Mr Cavaleri is requesting to have his permitting privileges reinstated under Certified General Contractors License No CGC023739.

**Motion:** Christopher Knight makes a motion for Victor Cavaleris' permitting privileges to be **temporarily reinstated** for the purposes of renewing expired permits only. If Mr Cavaleri is successful on getting all expired permits closed he does not have to reappear and his permitting privileges will be permanently reinstated. If he is unsuccessful he must reappear at next meeting April 2, 2020. Michael Melton seconds motion, 7 in favor 1 opposed. Motion carries

**O. OLD BUSINESS**

**1. MARK SOUTHWICK  
RHINO CUSTOM HOMES LLC.  
Certified General Contractor,  
License No. CGC1510812  
CIL-19-00571**

**Erin Mullen-Travis**

Mr Southwick was present and presented the Board with an update of paid off liens and completed projects.

**MOTION:** Christopher Knight makes motion to have Mr Southwick return next meeting April 2, 2020 with a breakdown report of each home of what remains unfinished or unpaid/balance on liens. Michael Ferrara seconds motion. Motion carries

**P. DISCIPLINE CASES**

**1. JAMES M ROBINSON,  
VQUEST LLC,  
Certified Roofing Contractor,  
License No. CCC1329641  
CIL-19-00404**

**Ken Garcia**

**Mr Robinson was present and provided the Board with an update of his license status. He is working with the state to get everything current in order to get reinstated.**

**Motion:** Michael Melton makes motion to continue case to the May 7 2020 meeting, in order to give Mr Robinson more time to get reinstated and get permit renewed. Christopher Knight seconds motion. All in favor, motion carries.

2. **CHASE M WARD**  
**Triton Renovation, Inc**  
**Certified General Contractor**  
**License No. CGC1518975**  
**CIL-19-00449**

**Wendy Pacheco**

The staffs recommendation was read into the record by, Assistant County Attorney Jean Stacio. Chase Ward was not present to provide testimony to the Board.

The Respondent was charged with the following:

**CHARGE 1:** Florida Building Codes 110.3 and 110.5, adopted by Charlotte County Code 3-2-23: The building official upon notification from the permit holder or his or her agent, shall make the following inspections, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection. Additionally, it shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code **(1 count)**.

**CHARGE 2: Charlotte County Code 3 2 47(b)(4)** - Willful or deliberate disregard and violation of any lawful order of the board, any provisions of Charlotte County Code, chapter 3 2, chapter 3 9, any provisions of any code adopted pursuant to this chapter, or any state law regulating the construction industry, including Chapter 489 and Part I of Chapter 455 **(1 count)**.

**CHARGE 3: Charlotte County Code 3 2 47(b)(20)** Failing to obtain inspections including but not limited to final inspections **(1 count)**.

Upon consideration, it is **ORDERED**:

That Chase Ward be found in violation of the charges as listed in the Notice of Administrative Proceedings that his permitting privileges and right to work as a contractor in Charlotte County be **revoked**.

Charlotte County also recommends that a copy of this case along with a copy the Board's order be forwarded to the Department of Business and Professional Regulation and Florida Construction Industry Licensing Board with the recommendation that the State Certified General Contractor's License of Mr. Ward be disciplined up to and including suspension or revocation until such time as the permits as shown in the attachment to the Notice of Violation, are renewed and issued final inspections.

**MOTION:** Michael Melton made the motion to accept the staffs' recommendation,  
Motion was seconded by Edward Toth. Decision was unanimous, motion was passed.

R. REPORT FROM THE LICENSING MANAGER

NONE

S. REPORT FROM THE BUILDING OFFICIAL

Ben Bailey reported that Claire Jubb will be moving to her new position as County Administrator and he will be filling in as interim until the position is filled.

T. REPORT FROM THE ASSISTANT COUNTY ATTORNEY

NONE

U. BOARD ATTORNEY COMMENTS

NONE

V. REPORT FROM CONSTRUCTION INDUSTRY LICENSING BOARD MEMBERS

NONE

W. ADJOURNMENT

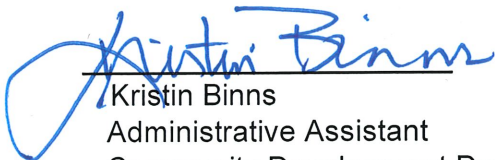
Robert Overcash made the motion to adjourn and Michael Melton seconded the motion and it was approved unanimously at 7:13pm.

CHARLOTTE COUNTY  
CONSTRUCTION INDUSTRY LICENSING BOARD  
MINUTES OF MARCH 5, 2020  
READ AND APPROVED ON JUNE 4, 2020  
(no meetings April or May 2020 due to Covid-19 conditions)



Charles Hackbarth, Chairman

ATTEST:



Kristin Binns  
Administrative Assistant  
Community Development Department  
Contractor Licensing Division

Complete files of all cases, as well as taped recordings of all proceedings of this meeting, are kept in the Community Development Department and are available to the public.

Any person who decides to appeal a decision of this Board will need a record of the proceedings pertaining thereto, and therefore may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.